



**DELAWARE TOWNSHIP BOARD OF SUPERVISORS**

**Meeting**  
**January 11, 2023**  
**MINUTES**

**WORKSHOP-** called to order at 6:00 p.m.

**Motion** to recess the workshop was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**Motion** to open executive session regarding personnel and potential litigation was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**Motion** to adjourn executive session was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**Motion** reopen the workshop was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

The workshop discussion included but was not limited to:

- Purchase of repeater – *add motion for 1/25 meeting agenda*
- 2009 F550 Mason Dump Repairs – *add motion for 1/25 meeting agenda*
- DTVFC December Report by Chief Cairns
- DTVAC Funding Request for 1<sup>st</sup> Quarter 2023 – *no representative present. Add motion for 1/25 meeting agenda*

**Motion to adjourn** the workshop was made at 6:54 p.m. by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries

**REGULAR MEETING**

**Call to Order** was at 7:00 p.m.

**Pledge of Allegiance**

**Roll Call:** Present: Rick Koehler, John Henderson, Tom Farley, Solicitor and Krista Predmore.

Absent: Jane Neufeld.

**Public Comment on Agenda**-none.

1. **Motion** to accept the Minutes from the Board of Supervisors meeting dated December 7, 2022 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
2. **Motion** to accept the Minutes from the Board of Supervisors organizational meeting dated January 3, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.



3. **Motion** to accept the resignation of Jane Neufeld as Delaware Township Supervisor effective January 11, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
4. **Motion** to pay General Fund bills in the amount of \$92,914.82 for the period of December 8, 2022 through December 31, 2022 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
5. **Motion** to pay General Fund bills in the amount of \$19,089.27 for the period of January 1, 2023 through January 11, 2023.
6. **Motion** to pay Recreation Fund bills in the amount of \$5,370.19 for the period of December 8, 2022 through December 31, 2022 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
7. **Motion** to pay Recreation Fund bills in the amount of \$3,146.14 for the period of January 1, 2023 through January 11, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
8. **Motion** to distribute the 2022 4<sup>th</sup> quarter fire taxes in the amount of \$1,170.79 to Delaware Township Volunteer Fire Co was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
9. **Motion** to pay Theurkauf Design & Planning's invoice # 1222-02 in the amount of \$5,668.84 for the Comprehensive Plan Update was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

10. **Motion** to approve the application for license to operate a junk yard for 21<sup>st</sup> Century Restoration and Sales, Inc. located at 1756 Route 739 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
11. **Retroactive Motion** to waive permit fees for the Delaware Township Volunteer Fire Company's building permit for the substation re-roof project was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
12. **Motion** to approve the following lot improvement as recommended by the Planning Commission at their meeting on December 20, 2022:



Licitra – Wild Acres – Lot 31A, Block W-1602, Section 16

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

- 13. Motion** to approve the following lot improvement as recommended by the Planning Commission at their meeting on December 20, 2022:

Benson – Pocono Mountain Lake Estates – Lot 106A, Section 6

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

- 14. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** SLEAP, WILLIAM J  
**SALE NUMBER:** 11-052  
**CONTROL NUMBER:** 028543  
**DESCRIPTION:** LOT 15 ABC BLOCK B-22 SEC 4 – BIRCHWOOD LAKES  
**MAP NUMBER:** 162.02-04-18  
**BIDDER:** ANDREW FEMINELLA JR.  
152 MULLER AVENUE, STATEN ISLAND, NY 10314  
**AMOUNT OF BID:** \$1,500.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

- 15. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** GIOIA, ANTHONY  
**SALE NUMBER:** 18-039  
**CONTROL NUMBER:** 028184  
**DESCRIPTION:** LOT 17 ABC BLK B-81 SECTION 11 – BIRCHWOOD LAKES  
**MAP NUMBER:** 149.04-14-62  
**BIDDER:** ANDREW FEMINELLA JR.  
152 MULLER AVENUE, STATEN ISLAND, NY 10314  
**AMOUNT OF BID:** \$1,500.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

- 16. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** EICHLER, WILLIAM  
**SALE NUMBER:** 18-029



**CONTROL NUMBER:** 031924  
**DESCRIPTION:** LOT 23 ABC BLK B-13 SECTION 3 – BIRCHWOOD LAKES  
**MAP NUMBER:** 162.02-04-61  
**BIDDER:** ANDREW FEMINELLA JR.  
152 MULLER AVENUE, STATEN ISLAND, NY 10314  
**AMOUNT OF BID:** \$1,500.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**17. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** RESURRECTION LAND CO  
**SALE NUMBER:** 11-039  
**CONTROL NUMBER:** 030510  
**DESCRIPTION:** LOT 946 SECTION 14 – POCONO MTN LAKE FOREST  
**MAP NUMBER:** 149.03-01-47  
**BIDDER:** JASON T. DeSANE, AMBER DeSANE & MICHAEL S STEWART  
126 SENECA TRAIL, DINGMANS FERRY, PA 18328  
**AMOUNT OF BID:** \$1,250.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**18. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** GARDEN ESTATE HOMES CO LLC  
**SALE NUMBER:** 12-045  
**CONTROL NUMBER:** 027418  
**DESCRIPTION:** LOT 950 SECTION 14 – POCONO MTN LAKE FOREST  
**MAP NUMBER:** 149.03-01-50  
**BIDDER:** JASON T. DeSANE, AMBER DeSANE & MICHAEL S STEWART  
126 SENECA TRAIL, DINGMANS FERRY, PA 18328  
**AMOUNT OF BID:** \$1,250.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**19. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** UNITED METHODIST HOMES OF CT INC  
**SALE NUMBER:** 14-099  
**CONTROL NUMBER:** 031968  
**DESCRIPTION:** LOT 951 SECTION 14 – POCONO MTN LAKE FOREST



**MAP NUMBER:** 149.03-01-51  
**BIDDER:** JASON T. DeSANE, AMBER DeSANE & MICHAEL S STEWART  
126 SENECA TRAIL, DINGMANS FERRY, PA 18328  
**AMOUNT OF BID:** \$1,250.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**20. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** CARUSO, PHILOMENA L  
**SALE NUMBER:** 19-029  
**CONTROL NUMBER:** 031363  
**DESCRIPTION:** LOT 36 SECTION 6 – POCONO MTN WATER FOREST  
**MAP NUMBER:** 150.01-02-12  
**BIDDER:** G&M PAINTING CONTRACTOR INC.  
131 MECHANIC STREET, MARLBOROUGH, MA 01752  
**AMOUNT OF BID:** \$1,250.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**21. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** EKO NATION, INC.  
**SALE NUMBER:** 13-031  
**CONTROL NUMBER:** 072902  
**DESCRIPTION:** LOT 20A BLK B-67 SEC 9 – BIRCHWOOD LAKES  
**MAP NUMBER:** 162.02-08-01  
**BIDDER:** GARY & MARY ELLEN WILTON  
232 SPRUCE DRIVE, DINGMANS FERRY, PA 18328  
**AMOUNT OF BID:** \$1,400.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**22. Motion** to approve the following unimproved property located within Delaware Township be sold from the Pike County Repository:

**PREVIOUS OWNER:** MACE, KIMBERLEE J  
**SALE NUMBER:** 14-066  
**CONTROL NUMBER:** 029767  
**DESCRIPTION:** LOT 121 SECTION 5 – POCONO MTN LAKE ESTATES  
**MAP NUMBER:** 176.04-01-51  
**BIDDER:** RAVAN SEYFULLAYEV



923 AMARYLLIS DRIVE, PITTSBURGH, PA 15237  
**AMOUNT OF BID:** \$1,255.00

was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

23. **Motion** to approve the 2023 proposal for Lake Management at Akenac Park by Aquatic Environment Consultants, Inc. in the amount of \$3,675.00 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
24. **Motion** to purchase a ball bank indicator for Public Works in the amount of \$760.80 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
25. **Motion** to sign the letter agreement between Delaware Township and Representative Tarah Probst for Satellite District Office hours was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
26. **Motion** to advertise for vacancies on the Delaware Township Zoning Hearing Board and Recreation Committee was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
27. **Motion** to renew service with Ehrlich Pest Control for Pest Control Maintenance at Akenac Park in the amount of \$840 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
28. **Motion** to renew service with Ehrlich Pest Control for Exterior Insect Maintenance at Akenac Park in the amount of \$2,156 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
29. **Motion** to renew service with TruGreen for the Delaware Township Athletic Fields in the amount of \$7,100.15 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
30. **Retroactive Motion** to approve John Bonham Road Supplies invoice #149918 in the amount of \$5,857.62 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
31. **Motion** to sign the annual lease agreement between Delaware Township and the Milford Valley Quilters Guild for rental of the green building was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
32. **Motion** to approve municipal hall use request every Monday in 2023 from 9:00 a.m. to 3:30 p.m. by the Milford Valley Quilters Guild for community service project was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.





- 33. Motion** to approve municipal hall use request on January 15, 2023 from 8:00 a.m. to 7:00 p.m. by D. Hughes for a baby shower was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 34. Motion** to approve municipal hall use request by WALPOA on the 3<sup>rd</sup> Saturday of each month from 9:00 a.m. to 3:00 p.m. for Board of Directors meetings was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 35. Motion** to approve municipal hall use request by WALPOA on the 1<sup>st</sup> Saturday of June from 9:00 a.m. to 3:00 p.m. for the annual Board of Directors election meeting was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 36. Motion** to approve municipal hall use request by WALPOA on the 1<sup>st</sup> Saturday of October from 9:00 a.m. to 3:00 p.m. for an annual membership meeting was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 37. Motion** to approve municipal hall use request by the Delaware Township Democratic Club for monthly meetings on the 2<sup>nd</sup> Thursday of each month at 7:30 p.m. beginning Thursday, April 13, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 38. Motion** to recess the regular Board of Supervisors meeting was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
- 39. Motion** to open the public hearing was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

\*\*Joint Public Hearing between the Delaware Township Board of Supervisors and the Planning Commission regarding the land development and conditional use request of Iron Body Fitness @ 7:15 p.m.\*\*

- 40. Motion** by the Planning Commission to recommend approval to the Board of Supervisors on the Iron Body Land Development with the following conditions:
1. Applicant obtaining any highway occupancy permits or supplemental permits.
  2. Applicant obtaining any federal, state, and local permits.
  3. Applicant obtaining a variance from the Zoning Hearing Board to Section 110.8B of the Zoning Ordinance of Delaware Township, specifically permitting the storm water maintenance facility placed in a 50-foot buffer, i.e., detention basin, or the township may amend Ordinance 110.8B within the next 60 days, to allow storm water maintenance facilities to be placed in the basin, such that a variance will not be required.



4. Applicant providing a deed to the Township indicating applicant purchased the parcel that is the subject of this land development and conditional use.
5. Applicant providing the financial security guarantee in accordance with Section 107.7A of the Zoning Ordinance. A construction cost estimate shall be submitted for review, prior to plan recordation.
6. Sewage planning module being approved by PA DEP.
7. Applicant obtaining all required sewage permits.
8. Developer's Agreement to be executed prior to plan recordation by applicant and township.
9. Suitable screening for the trash receptacle.
10. Applicant providing final plans and building plans to fire department.
11. Applicant providing a sprinkler system if required by code.
12. All signage will meet township permit requirements.
13. All trees beyond the earth disturbance of 0.9 acres, shall remain on the property except for any removal of any trees for a location of a sign or any trees on the property that will cause a hazard to the building, vehicles or clients.
14. Applicant satisfying the comments of the township engineer letters dated January 5, 2023 with the first one titled, "Preliminary Land Development Plan Review No. 3" and the second letter of the same date titled, "Conditional Use Review No. 3."

was made by Mr. Glamann with a second by Ms. Hines. Voting: All in favor. **Motion** carries.

**41. Motion** by the Planning Commission to recommend approval to the Board of Supervisors on the Iron Body Conditional Use with the following conditions:

1. Applicant obtaining any highway occupancy permits or supplemental permits.
2. Applicant obtaining any federal, state, and local permits.
3. Applicant obtaining a variance from the Zoning Hearing Board to Section 110.8B of the Zoning Ordinance of Delaware Township, specifically permitting the storm water maintenance facility placed in a 50-foot buffer, i.e., detention basin, or the township may amend Ordinance 110.8B within the next 60 days, to allow storm water maintenance facilities to be placed in the basin, such that a variance will not be required.
4. Applicant providing a deed to the Township indicating applicant purchased the parcel that is the subject of this land development and conditional use.
5. Applicant providing the financial security guarantee in accordance with Section 107.7A of the Zoning Ordinance. A construction cost estimate shall be submitted for review, prior to plan recordation.
6. Sewage planning module being approved by PA DEP.
7. Applicant obtaining all required sewage permits.
8. Developer's Agreement to be executed prior to plan recordation by applicant and township.





9. Suitable screening for the trash receptacle.
10. Applicant providing final plans and building plans to fire department.
11. Applicant providing a sprinkler system if required by code.
12. All signage will meet township permit requirements.
13. All trees beyond the earth disturbance of .9 acres, shall remain on the property except for any removal of any trees for a location of a sign.
14. Applicant satisfying the comments of the township engineer letters dated January 5, 2023 with the first one titled, "Preliminary Land Development Plan Review No. 3" and the second letter of the same date titled, "Conditional Use Review No. 3."

was made by Mr. Glamann with a second by Ms. Jacobs. Voting: All in favor. **Motion** carries.

15. **Motion** by the Planning Commission to recommend approval to the Board of Supervisors on the Iron Body Planning Module conditioned upon approved by PA DEP was made by Mr. Glamann with a second by Ms. Jacobs. Voting: All in favor. **Motion** carries.
16. **Motion** by the Planning Commission to recommend granting a waiver to the Board of Supervisors for the applicant to use the lidar as sufficient surveying for the Iron Body project was made by Mr. Glamann with a second by Ms. Hines. Voting: All in favor. **Motion** carries.
17. **Motion** to close the public hearing was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
18. **Motion** to re-open the regular meeting of the Board of Supervisors was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
19. **Motion** to approve the Iron Body Land Development with conditions as stated in the previous motion by the Planning Commission was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
20. **Motion** to approve the Iron Body Conditional Use with conditions as stated in the previous motion by the Planning Commission was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
21. **Motion** to approve the Iron Body Planning Module conditioned upon approved by the PA DEP was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.



22. **Motion** to grant a waiver for the applicant to use the lidar as sufficient surveying for the Iron Body project was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
23. **Retroactive Motion** to approve municipal hall use request by Gambetta Ballet on Tuesdays, Wednesdays and Fridays from 10:30 a.m. to 12:00 p.m. beginning January 3, 2023 to May 26, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
24. **Motion** to approve Akenac Park recreation hall use request by Gambetta Ballet on Mondays, Wednesdays and Fridays from 10:30 a.m. to 12:00 p.m. beginning May 30, 2023 to September 4, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
25. **Motion** to approve municipal hall use request by Gambetta Ballet on Tuesday, Wednesdays, and Fridays from 10:30 a.m. to 12:00 p.m. beginning September 5, 2023 to December 29, 2023 was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.
26. **Motion** to approve municipal hall use request by M. Sykes on February 11, 2023 from 6:00 p.m. to 12:00 a.m. for a Sweet 16 party was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries.

**ANNOUNCEMENTS:**

Shawnee-Walker Transmission Line Project Public Information Session to be hosted at the Delaware Township Municipal Building on Wednesday, January 18, 2023 at 6:00 p.m.

**PUBLIC COMMENT:** consisted of but was not limited to Mr. Witkowski inquiring what the procedure was for the vacant seat on the Board of Supervisors and if letters of interests would be received; Mr. Witkowski also inquired about how many seats were vacant on the Recreation Committee and the Zoning Hearing Board; Mr. Koehler discussed the need for the constable to be present at the Shawnee-Walker Information Session scheduled for next week.

**Motion to adjourn** was made at 8:10 p.m. was made by Mr. Koehler with a second by Mr. Henderson. Voting: All in favor. **Motion** carries

Respectfully submitted,

Krista Predmore  
Township Administrator

DELAWARE  
PIKE COUNTY



TOWNSHIP  
PENNSYLVANIA

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